



Attorney Docket No. T4890.B.CON.DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	JOHN T. FORBIS	)	
		)	
TITLE:	METHOD FOR ATTACHING A	)	
	FENCE RAIL TO A	)	
	SUPPORT	)	SUBMISSION OF
		)	CERTIFICATE UNDER 37
SERIAL NO.:	10/824,707	)	C.F.R. § 3.73(b) TO
		)	ESTABLISH RIGHT OF
FILED:	April 14, 2004	)	ASSIGNEE TO TAKE ACTION
		)	
EXAMINER:	S. Kenny	)	
		)	
ART UNIT:	3726	)	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

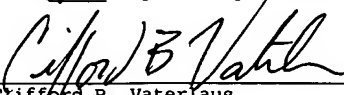
Sir:

In accordance with M.P.E.P. §324, an assignee may establish ownership of a divisional patent application by submitting a copy of a statement filed under 37 C.F.R. § 3.73(b) in the parent application. Accordingly, enclosed herewith is a copy of a statement filed under 37 C.F.R. § 3.73(b) in U.S. Patent Application Serial No. 10/277,721, the parent application to the above-captioned application, which establishes the right of

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Certificate of Deposit Under 37 C.F.R. § 1.8

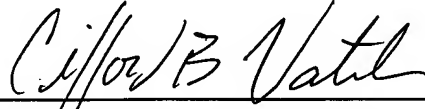
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 25<sup>th</sup> day of July, 2005.

  
Clifford B. Vaterlaus  
Attorney Registration No. 47,261  
Attorney for Applicant

assignee, Kroy Building Products, Inc., to take action in the above-captioned application.

DATED this 21<sup>st</sup> day of July, 2005.

Respectfully submitted,



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Clifford B. Vaterlaus  
Attorney Registration No. 47,261  
Attorney for Applicant

Clayton, Howarth & Cannon, P.C.  
P.O. Box 1909  
Sandy, UT 84091  
Telephone: (801) 255-5335  
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CBV/kdl

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Attorney Docket No. T4890.B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	JOHN FORBIS	)	
		)	
TITLE:	FENCE RAIL CAP BRACKET	)	
	ASSEMBLY	)	
		)	
SERIAL NO.:	10/277,721	)	CERTIFICATE UNDER 37
		)	C.F.R. § 3.73(b) TO
FILED:	October 21, 2002	)	ESTABLISH RIGHT OF
		)	ASSIGNEE TO TAKE ACTION
EXAMINER:	J. Cottingham	)	
		)	
ART UNIT:	3679	)	
		)	
		)	
		)	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

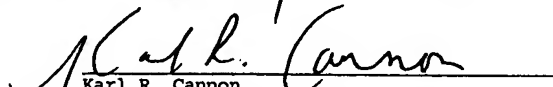
In order to establish its right to take action before the Office in the above-captioned matter, Kroy Building Products Inc. certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. [X] An assignment from the inventor of the patent application identified above. The assignment was

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Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 13 day of January, 2005.

  
Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant

recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

B. ☐ A chain of title from the  
\*\*\*[inventor(s)/applicant(s)]\*\*\* of the  
\*\*\*[patent/trademark application]\*\*\* identified  
above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

C. ☒ Copies of assignments or other documents in the chain of title are attached.

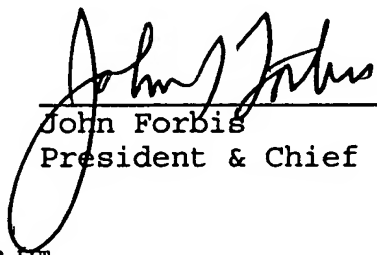
The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 15 day of December, 2003.

Kroy Building Products, Inc.

By

  
\_\_\_\_\_  
John Forbis  
President & Chief Executive Officer

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A S S I G N M E N T

WHEREAS, John T. FORBIS a citizen of the United States of America having a post office address of 2719 North Division Avenue, York, Nebraska 68467, has invented a method and apparatus entitled FENCE RAIL CAP BRACKET ASSEMBLY, hereinafter called the "invention," preferred embodiments of which are disclosed in a United States patent application executed on March 11, 2003, and being assigned application serial no. 10/277,721 and filed on October 21, 2002, which is a continuation of U.S. Patent Application No. 10/138,722, filed May 3, 2002, which claims the benefit of U.S. Provisional Application No. 60/288,359, filed May 3, 2001; and identified as File No. T4890.B.CON of the law firm, Clayton, Howarth & Cannon, P.C., P.O. Box 1909, Sandy, Utah 84091.

WHEREAS, Assignee Kroy Building Products, Inc., a Delaware corporation, organized and existing under the laws of the State of Delaware, located at 2719 North Division Avenue, York, Nebraska 68467, is desirous of acquiring the entire right, title and interest in the invention;

NOW THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration paid to me by the Assignee, the receipt and sufficiency of which is hereby acknowledged, I HEREBY ASSIGN TO THE ASSIGNEE:

WHEN RECORDED RETURN TO:

Karl R. Cannon T4890.B.CON  
Clayton, Howarth & Cannon, P.C.  
P.O. Box 1909  
Sandy, Utah 84091

The entire right, title and interest in said invention and in the above-identified United States patent application and in all divisions, continuations and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted hereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and Foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

I hereby authorize and request the United States Commissioner for Patents, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignee as the owner of the entire interest, for the sole use and behoof of the said Assignee, its successors, assigns and legal representatives.

I hereby agree, without further consideration and without expense to me, to sign all lawful papers and to perform all other lawful acts which the Assignee, or the Assignee's successors, assigns and legal representatives, may request of me to make this Assignment fully effective, including, by way of example but not of limitation, the following:

WHEN RECORDED RETURN TO:

Karl R. Cannon T4890.B.CON  
Clayton, Howarth & Cannon, P.C.  
P.O. Box 1909  
Sandy, Utah 84091

Prompt execution of all original, divisional, substitute, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignee, or the Assignee's successors, assigns and legal representatives, to further the prosecution of any of such patent applications.

Cooperation to the best of my ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension, or infringement proceedings involving said invention.

WHEN RECORDED RETURN TO:

Karl R. Cannon T4890.B.CON  
Clayton, Howarth & Cannon, P.C.  
P.O. Box 1909  
Sandy, Utah 84091



This assignment and agreement shall be binding upon my heirs and legal representatives.

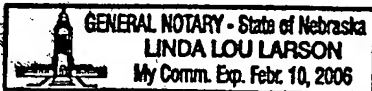
Executed this 15 day of December, 2003, at

York Ne  
(City, State)

John T. Forbis  
John T. FORBIS

STATE OF Nebraska )  
COUNTY OF York ) : ss.

On December 15, 2003 before me personally appeared John T. FORBIS, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me that he has read the same and knows the contents thereof and that he executed the same as his free act and deed and for the purposes set forth therein.



Linda Lou Larson  
NOTARY PUBLIC

My Commission Expires:

Feb. 10, 2006

Residing at

York, Nebraska

S:\CHC Files\T 4--\T4890\B.CON\assignment.wpd

WHEN RECORDED RETURN TO:

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